

Message Text

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13

ACTION SCI-06

INFO OCT-01 EUR-25 ADP-00 AID-20 CEQ-02 CIAE-00 COA-02

COME-00 DODE-00 EB-11 EPA-04 INR-10 IO-13 L-03 NSF-04

NSC-10 NSAE-00 PM-07 RSC-01 SS-15 CEA-02 EA-11 FRB-02

NEA-10 OPIC-12 TRSE-00 CIEP-02 LAB-06 SIL-01 OMB-01

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FM USMISSION EC BRUSSELS

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AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION OECD PARIS

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SUBJECT: EEC COUNCIL MEETING -- ENVIRONMENTAL AFFAIRS MINISTERS

REF.: (A) EC BRUSSELS A-177, APRIL 16, 1973

(B) STATE 130590

(C) EC BRUSSELS 3884

1. SUMMARY. THE EC COUNCIL COMPOSED OF ENVIRONMENTAL AFFAIRS
MINISTERS MET IN BRUSSELS ON JULY 19. THERE WAS LITTLE DIFFI-

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CULTY WITH THE SPECIFIC CONTENT OF THE PROGRAM, BUT, AS ANTICI-

PATED A VERY LENGTHY DISCUSSION OF INSTITUTIONAL ISSUES WAS OCCASIONED BY THE FRENCH POSITION. OUR INITIAL IMPRESSION IS THAT THE RESULTING COMPROMISE SHOULD NOT INHIBIT THE TYPE OF INFORMAL BUT REGULAR CONTACT WITH THE COMMISSION WHICH THE US DESIRES TO ACHIEVE ON ENVIRONMENTAL QUESTIONS. END SUMMARY.

2. COMMISSION OFFICIALS WHO WERE PRESENT AT THE MEETING TELL US THAT THE COUNCIL DID NOTHING TO EXCLUDE CONTACTS ON ENVIRONMENTAL MATTERS BY THE COMMISSION WITH THIRD COUNTRIES. THE LANGUAGE OF THE STATEMENT OF OBJECTIVES WHICH WE DISCUSSED IN REF (C) WAS CHANGED SLIGHTLY. IT NOW READS "... TO FIND COMMON SOLUTIONS TO ENVIRONMENTAL PROBLEMS WITH COUNTRIES OUTSIDE OF THE COMMUNITY, PARTICULARLY IN THE CONTEXT OF INTERNATIONAL ORGANIZATIONS." (MISSION TRANSLATION). THUS, WHILE THE EMPHASIS IS SHIFTED TO INTERNATIONAL ORGANIZATIONS, BILATERAL CONTACTS ARE NOT EXCLUDED. EVEN, AFTER THIS MODIFICATION, THE FRENCH MINISTER ENTERED A RESERVE WHICH HE WITHDREW LATER IN THE DAY.

3. THE LENGTHY DISCUSSION WAS COMPLICATED BY THE DANISH CHAIRMAN, WHO WAS UNFAMILIAR WITH COUNCIL PROCEDURES, AS WELL AS BY THE FRENCH MINISTER, WHO CONFUSED THE DEBATE BY EMPHASIZING FRENCH INSTITUTIONAL VIEWS. THE FRENCH CAME TO THE COUNCIL WANTING TO REDUCE TO A MINIMUM THE COMPETENCES PROPOSED FOR THE COMMUNITY IN THE COMMISSION'S MEMORANDUM. IN PARTICULAR, THEY ASKED THAT THE RESOLUTION APPROVING THE PROGRAM BE ISSUED IN THE NAME OF "THE COUNCIL AND THE REPRESENTATIVES OF THE MEMBER STATES MEETING WITHIN THE COUNCIL." THIS FREQUENTLY USED FORMULA EMPHASIZES THAT THE MINISTERS ARE ACTING (1) AS MEMBERS OF THE COUNCIL REPRESENTING THE COMMUNITY WITHIN ITS SCOPE OF AUTHORITY, AND (2) AS REPRESENTATIVES OF THEIR OWN GOVERNMENTS FOR MATTERS BEYOND THE COMMUNITY'S COMPETENCE. THE FORMULA WAS UNACCEPTABLE TO THE OTHER EIGHT MINISTERS.

3. AT LENGTH ORTOLI, PRESIDENT OF THE EC COMMISSION, AND POUJADE, THE FRENCH MINISTER, WORKED OUT A COMPROMISE. THE COMPROMISE PROVIDED FOR TWO DOCUMENTS. FIRST, THE COUNCIL AND PRESENTATIVES OF MEMBER STATES ISSUED A DECLARATION ACKNOWLEDGING THAT THE COMMUNITY AND THE MEMBER STATES SHARE RESPONSIBILITY IN THE ENVIRONMENTAL AREA, AND THAT THE COUNCIL UNDER ARTICLE 145 OF THE ROME TREATY WOULD EXERCISE ONLY A

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COORDINATING FUNCTION WITH RESPECT TO THE RESPONSIBILITIES OF THE MEMBER STATES. THE SECOND DOCUMENT ISSUED IN THE NAME OF THE COUNCIL ALONE APPROVED THE COMMISSION'S OWN ACTION PROGRAM (REF A). THERE WAS VERY LITTLE DISCUSSION OF THE ACTION PROGRAM ITSELF.

4. COMMENT: WHILE TIME WILL BE REQUIRED TO SEE THE COUNCIL DECISIONS' MEANING IN PRACTICE, OUR INITIAL IMPRESSION IS THAT THE

COMMUNITY NOW HAS ITS OWN COMPETENCES IN THE ENVIRONMENTAL FIELD
AS FORESHADOWED BY LAST YEAR'S EUROPEAN SUMMIT COMMUNIQUE AND
-- AT A MINIMUM -- THERE IS NOTHING IN THE OUTCOME TO PREVENT
THE COMMISSION FROM WORKING ACTIVELY WITH THIRD COUNTRIES,
BILATERALLY AS WELL AS WITHIN INTERNATIONAL ORGANIZATIONS,
IN CARRYING OUT ITS PROGRAM.
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